IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23813 of 2004

Between:

1. Shankar Gupta, S/o.Sri Mohan Gupta,

   Age 27 yrs, Occu:Student, R/o.1-2-368,

   Flat No.505, North-East Home Apartments, Street No.6,

   Domalguda, Hyderabad-29.

2. Smt.Damayanti Devi Agarwal,

   W/o.Sri Kishan Kumar Agarwal,

   Age 52 yrs, Occ:Housewife,

   R/o. Plot No.10, Maharaja Colony,

   Sikh Village, Secunderabad-3.

3. Smt. Neeta Agarwal, W/o.Sri Gopal Agarwal,

   Age 25 yrs, Occ:House wife,

   R/o. Plot No.10, Maharaja Colony,

   Sikh Village, Secunderabad-3.

4. Sri Mohan Gupta, S/o.Ramanand Gupta,

   Age 50 yrs, Occ:Business,

   R/o.1-2-368, Flat No.505, North-East Home Apartments,

   Street No.6, Domalguda, Hyderabad-29.

5. Smt.Suman Gupta, W/o.Sri Mohan Gupta,

   Age 47 yrs, Occ:Housewfie,

   R/o.1-2-368, Flat No.505, North-East Home Apartments,

Street No.6, Domalguda, Hyderabad-29.

6. Satish Gupta, S/o.Sri Mohan Gupta,

Age 28 yrs, Occ:Service,

R/o.1-2-368, Flat No.505, North-East Home Apartments,

Street No.6, Domalguda, Hyderabad-29.

7. A.Vamshi (minor), S/o.Sri A.Vijay Kumar,

Age 13 yrs, rep. by his

natural guardian and father Sri. A.Vijay Kumar,

R/o.4-1-11/B/1, Tilak Road, Hyderabad-1.

8. A.Vijay Kumar, S/o A. Vardiah,

Age 47 yrs, Occ:professional,

R/o.4-1-11/B/1, Tilak Road, Hyderabad-1.

9. Smt.A.Jyothi, W/o.A.Vijay Kumar,

Age 38 yrs, Occ:Housewife,

R/o.4-1-11/B/1, Tilak Road, Hyderabad-1.

..... PETITIONERS

AND

1. The S.C.D.R/Liquidator (U/L)

M/s.Krushi Co-operative Urban Bank Ltd.,

No.5-5-65, S.A.Tade Centre, 1st Floor,

Above Bombay Hotel, Ranigunj, Secunderabad.

2. The Chief General Manager, Deposit Insurance &

Credit Guarantee Corporation, Head Office, RBI Building,

2nd Floor, Opp:Mumbai Central Railway Station,

Byculla, Mumbai-400 008.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly a writ in the nature of Writ of Mandamus declaring the action of the first respondent i.e., the official liquidator in

not forwarding the claims of the petitioners to the 2nd respondent i.e, the Chief General Manager, Deposit Insurance & Credit Guarantee Corporation, Mumbai so as to enable the petitioner to receive the amounts entitled as per Section 17 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961, as bad, illegal and arbitrary.

Counsel for the Petitioner:MR.M.VIDYASAGAR

Counsel for the Respondent Nos.1 and 2: NONE APPEARED

The Court at the admission stage made the following :

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ORDER:

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The petitioners, who said to be the depositors with M/s. Krushi Cooperative Urban Bank Ltd., claim to have made several representations to the 1st respondent, viz., the liquidator. Their grievance is that no action has been taken thereon and they are seeking appropriate directions in this regard.

Heard learned counsel for the petitioners and learned Government Pleader for Cooperation.

Though the learned counsel for the petitioners had advanced contentions touching on the merits of the matter, this Court is not inclined to deal with the same at this stage. The petitioners claim to have made several representations to the 1st respondent, in relation to the deposits made by them in the bank under liquidation. It is for the 1st respondent to take the same into account and pass appropriate orders.

Hence, the writ petition is disposed of directing the 1st respondent to consider and dispose of the representations said to have been made by the petitioners, in accordance with law, within six weeks from the date of the receipt of this order. There shall be no order as to costs.

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21.12.2004

Note: Issue C.C. in one week.

(B/o)

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1. The S.C.D.R/Liquidator (U/L)
   M/s.Krushi Co-operative Urban Bank Ltd.,
   No.5-5-65, S.A.Tade Centre, 1st Floor,
   Above Bombay Hotel, Ranigunj, Secunderabad.
2. The Chief General Manager, Deposit Insurance &
   Credit Guarantee Corporation, Head Office, RBI Building,
   2nd Floor, Opp:Mumbai Central Railway Station,
   Byculla, Mumbai-400 008.
3. Two CD copies.